

Process to Incorporate a Municipality

DRAFT FOR DISCUSSION

October 17, 2007

Large Property Owners May Opt Out

Large property owners may opt out if property:

- is more than 1% of total assessed value;
- is currently nonurban;
- will not need municipal-type services; and
- exclusion will not leave an unincorporated island.

(Applies only to first and second class counties)

Start Here

Request for Feasibility Study

Petition signed by owners of private property that:
1) covers at least **10%** of land area; and
2) is at least **7%** of land value.

Basic Requirements:

- contiguous area of unincorporated county;
- population of at least 100.

County Clerk
verifies
signatures
and other
requirements

*Does not meet
requirements*

Feasibility Study

County Legislative Body
commission feasibility study to
determine if projected revenues
would exceed projected costs by
more than **5%**.

*If projected revenues **WOULD**
exceed projected costs by more
than 5%, then the proposal dies.*

*If projected revenues would
NOT exceed projected costs
by more than 5%*

Public Hearings

Incorporation Petition

Petition signed by owners of private property that:
1) covers at least **1/3** of land area; and
2) is at least **1/3** of land value.

Petition states which option
chosen: 1) county commission
decides; or 2) voters decide.

Signatures from "Request for
Feasibility Study" count toward
"Incorporation Petition" if both
petitions contain the same
information.

County Clerk
verifies
signatures
and other
requirements

*Does not meet
requirements*

County Commission Decision

Incorporation Election

Voters reject

Reject

Approve

10% of voters
may protest
and force an
election

*Voters
approve*

County Commission Appoints Municipal Officials

Election of City Officials

Incorporation

- Mayor files articles of incorporation with Lt. Gov;
- Municipality is incorporated upon Lt. Gov certification.

Also repeat current process for towns